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09/050,796	03/30/1998	MICHAEL SUTTON	16529-2-2US	7265

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EXAMINER

LEE, RICHARD J

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 06/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/050,796

Applicant(s)

Sutton

Examiner

Richard Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 16, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, and 7-22 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, and 7-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on Jan 16, 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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1. It is noted that the applicant's arguments from the amendment filed January 16, 2002 have been noted, considered, and addressed in the following new grounds of rejections.

2. Claims 11-15 are objected to because of the following informalities:

- (1) claim 11, line 5, before "video", "a." should be changed to "a" for clarity;
- (2) claim 11, line 8, before "broadcast channel", "a" should be inserted for clarity;
- (3) claim 12, line 9, "or" should be changed to "of" for clarity;
- (4) claim 13, line 9, "long" should be changed to "along" for clarity;
- (5) claim 14, line 8, "aid" should be changed to "said" for clarity; and
- (6) claim 15, line 2, "comprising." should be changed to "comprising" for clarity.

Appropriate correction is required.

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 11-15 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The following limitations such as (a) "a transmitter, coupled to said video camera, for broadcasting said electronic image as a broadcast image at broadcast channel selected from a plurality of channels wherein said broadcast channel is different for each said flashlight", and the

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“receiver for receiving said broadcast image from each of said flashlights on each said broadcast channel”, as claimed in claim 11; (b) “broadcasting a series of real-time images with accompanying audio signals, from each of a plurality of flashlights at a different broadcast frequency for each said flashlight”, and “receiving said series of real-time images and audio signals from a selected one of said plurality of flashlights as a received series at a remote receiver” as claimed in claim 12; and (c) “broadcasting a series of real-time images with accompanying audio signals from each said flashlight at a different channel”, “receiving a selected one of said series of real-time images and audio signals at a receiver”, “capturing said selected one of said series of real-time images” as claimed in claim 13 are not fully supported by the Specification.

The applicant’s arguments at pages 5-6 of the amendment filed January 16, 2002 have been noted and considered, but are deemed not persuasive for the following reasons. The applicant traversed the 35 USC 112, first paragraph rejection for the claims and indicated support in various areas of the Specification, arguing in general that the plurality of RF signals as disclosed in the Specification corresponds to the plurality of broadcast channels claimed. The Examiner wants to point out that particular transmission of a series of RF signals via transmitter 24 as disclosed in the Specification is different from the particular feature of a transmitter for broadcasting the electronic image as a broadcast image at a broadcast channel selected from a plurality of channels wherein the broadcast channel is different for each flashlight as claimed, for example, in one of the respective claims. The Specification is devoid of any teachings involving a broadcast channel being selected from a plurality of channels and wherein the broadcast channel is

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different for each flashlight. The term "channel" and "channels" are not even mention in the Specification.

5. Claims 11 and 13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For examples:

(1) claim 11, line 2, before "flashlight", "said" should be deleted in order to provide proper antecedent basis for the same as specified at line 3; and

(2) claim 13, line 8, "after "integrated", "wireless" should be properly inserted in order to provide proper antecedent basis for the same as specified at lines 6-7.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 5, 7-9, and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Camras of record (3,984,625) in view of Takahashi et al of record (5,305,033).

Camras discloses a portable video recording system employing camera and recording stations connected by a wireless link as shown in Figures 1 and 2, and substantially the same security system as claimed in claims 1-3, 5, 7-9, and 20-22, comprising substantially the same imager (260 of Figure 1), for converting a first image received along the optical axis into an

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electronic image, a transmitter (i.e., via 250 of Figure 1), coupled to the imager, for broadcasting the electronic image as a broadcast image, and a power cell (see column 2, lines 17-22), coupled to the imager and to the transmitter, for providing operating power; a remote unit (see Figure 1), including a receiver (i.e., 251 of Figure 1) for receiving the broadcast image and converting it back to the electronic image, and at least one of a monitor (252 of Figure 1) coupled to the receiver for displaying the electronic image as the first image and a recorder (270 of Figure 1), coupled to the receiver, for recording the electronic image in a format suitable for recovery of the first image at a later time; the remote unit is installed in a passenger vehicle (see column 2, lines 28-32), and the recorder is installed in a locked compartment of the passenger vehicle (i.e., within the locked automobile, see column 2, lines 28-32); the light source further includes a microphone (265 of Figure 1), coupled to the transmitter, for converting sounds from a region near the light source into audio signals, wherein the transmitter broadcasts the audio signals as audio data and wherein the receiver converts the audio data into audio signals and wherein the monitor (252 of Figure 1) audiblizes the audio signals concurrent with display of the electronic image, wherein the audio signal and the electronic image are combined into a combined signal, the transmitter capable of broadcasting the combined signal in place of the broadcast image, wherein the receiver is capable of receiving the combined signal and converting it back to the audio signal and the electronic signal (see Figures 1 and 2 and columns 2-3).

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Camras does not particularly disclose, though, the followings:

(a) a rod-like shape handheld light source for selectively emitting a beam of light, wherein the beam of light is capable of remaining on during operation of the imager, and wherein the imager has an optical axis collinear to the beam of light as claimed in claims 1, 21, and 22; and

(b) the light source includes a first on/off switch to operate the imager independently of the beam of light and wherein the light source includes a second on/off switch to operate the beam of light independently of the imager as claimed in claim 5.

Regarding (a) and (b), Takahashi et al discloses a combination camera and flashlight as shown in Figure 1 and teaches the conventional rod-like shape handheld light source (i.e., flashlight 1 of Figure 1) for selectively emitting a beam of light, wherein the imager has an optical axis collinear to the beam of light (see Figure 1), as well as the particular first on/off switch (28 of Figure 1) to operate the imager (6 of Figure 1) and wherein the light source includes a second on/off switch (26 of Figure 1) to operate the beam of light (see column 1). It is noted that Takahashi et al teaches the particular feature of automatically turning off the light bulb, i.e. beam of light from the light source, when the camera is activated (see column 1, lines 47-61).

Takahashi et al teaches that such automatic feature however is an improvement over the old camera/flashlight system wherein the light from the illumination bulb remains on when the camera is activated thereby washing out the picture and detracting from the overall quality of the picture (see column 1, lines 25-38 and column 4, lines 55-68). Hence, it is considered obvious that the illumination bulb 12 of Takahashi et al may certainly remain on when the camera is activated if the

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quality of pictures were of no concern thereby providing substantially the same if not the same first on/off switch (i.e., 28 of Figure 1) to operate the imager (6 of Figure 1) independently of the beam of light and wherein the light source includes a second on/off switch (26 of Figure 1) to operate the beam of light independently of the imager, and wherein the beam of light is capable of remaining on during operation of the imager as claimed. Therefore, it would have been obvious to one of ordinary skill in the art, having the Camras and Takahashi et al references in front of him/her and the general knowledge of on/off switches in camera systems, would have had no difficulty in providing the combination video camera and flashlight system wherein on/off switches for both the light source and imager are being operated independently of each other if the quality of pictures were of no concern in view of the teachings of Takahashi et al for the simple camera system as shown in Figure 1 of Camras for the same well known flashlight/video camera combination operations as claimed.

8. Claims 10, 18, and 19 are rejected under 35 U.S.C. § 103 as being unpatentable over the combination of Camras and Takahashi et al as applied to claims 1-3, 5, 7-9, and 20-22 in the above paragraph (7), and further in view of Walling of record (4,802,008).

The combination of Camras and Takahashi et al disclose substantially the same security system as above, but does not particularly disclose the rebroadcasting of the broadcast image and the audio data to other receivers by use of a repeater coupled to the receiver, the broadcast image being rebroadcasted at a frequency to an other receiver in at least one other remote unit, the frequency being different from another frequency at which the transmitter broadcasts the

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electronic image as a broadcast image as claimed in claims 10 and 18; and wherein the repeater is capable of rebroadcasting the broadcast image at a power level to the other receiver, the power level greater than another power level at which the transmitter broadcast the electronic image as a broadcast image as claimed in claim 19. The particular use of repeaters for rebroadcasting video and audio signals to other receivers, in general, is old and well recognized in the art. For example, Walling discloses a satellite communications system for medical related images as shown in Figure 1A, and teaches the particular communications via RF transmissions of any number of trucks with the central headquarters or to other trucks from any given location throughout the world (see column 3, lines 6-20) and the particular use of repeaters for translating the transmitted signal into a different frequency and then sending it to the central headquarters (see column 5, lines 50-65). In addition, power requirements are provided at the RF terminal (see column 12, lines 43-45), thereby providing the repeater of Walling the capability of rebroadcasting the broadcast image at a power level to the other receiver, the power level greater than another power level at which the transmitter broadcast the electronic image as a broadcast image as claimed. Therefore, it would have been obvious to one of ordinary skill in the art, having the Camras, Takahashi et al, and Walling references in front of him/her and the general knowledge of video and audio wireless transmission systems, would have had no difficulty in providing a repeater for translating transmitted signals to other receiving location(s) with the required power requirements as taught by Walling as part of the receiver as shown in Figure 1 of Camras for the same well known benefits of providing the same transmitted video and audio signals to other

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receiving stations, such as police cars, so that such similar video and audio information may be viewed and shared by those interested for the same well known purposes as claimed.

9. Claims 11-13 and 15 are rejected under 35 U.S.C. § 103 as being unpatentable over the combination of Camras and Takahashi et al as applied to claims 1-3, 5, 7-9, and 20-22 in the above paragraph (7), and further in view of Saitoh of record (4,777,526).

The combination of Camras and Takahashi et al discloses substantially the same security system as above, further including narrating by another member of the team of security officer the series of real-time images to provide a narration as part of the audio signals and recording the series of real time images and the narration (i.e., the microphone 265 of Figure 1 of Camras may pick up any audio sound, including narration by a security officer for recording at remote station by recorder 270 of Figure 1 of Camras).

The combination of Camras and Takahashi et al does not particularly disclose, though, equipping a team of securing officers with a plurality of flashlights, broadcasting the electronic image at a broadcast channel selected from a plurality of channels wherein the broadcast channel/frequency is different for each flashlight, a receiver for receiving the broadcast image from each of the flashlights on each broadcast channel and converting each broadcast image back to each electronic image, and capturing, displaying, and recording the received series of real time images as claimed in claims 11-13. However, Saitoh et al discloses a securing monitor system as shown in Figure 1 which includes a plurality of cameras (4a-4d) being used for monitoring desired areas of interest and wherein each camera is connected to broadcast channel/frequency

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different for each of the cameras (see column 4, lines 6-56). Saitoh et al also teaches the conventional receiver for receiving the broadcast images, a receiver for receiving the broadcast images from each of the cameras on each broadcast channel and converting each broadcast image back to the electronic image, and capturing, displaying, and recording the received series of real time images (see Figure 1). As such, it is considered obvious that a plurality of the combination camera/flashlight system of Takahashi et al may be provided in view of the plural cameras of Saitoh et al so that a team of security officers may use the modified camera system. Therefore, it would have been obvious to one of ordinary skill in the art, having the Camras, Takahashi et al, and Saitoh et al references in front of him/her and the general knowledge of camera system configurations, would have had no difficulty in providing the combination camera and flashlight of Takahashi et al in place of the general cameras of Saitoh et al with substantially the same if not the same different broadcast frequency/channel capabilities as taught by Saitoh et al for each of the flashlight/camera combination in the transmission and reception schemes for the same well known multiple camera surveillance monitoring purposes as claimed.

10. Claim 14 is rejected under 35 U.S.C. § 103 as being unpatentable over the combination of Camras, Takahashi et al, and Saitoh et al as applied to claims 1-3, 5, 7-9, 11-13, 15, and 20-22 in the above paragraphs (7) and (9), and further in view of Walling of record (4,802,008).

The combination of Camras, Takahashi et al, and Saitoh et al discloses substantially the same security system as above, but does not particularly disclose the rebroadcasting of the series of real time images and audio signals by use of a repeater coupled to the receiver; receiving the

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rebroadcast series of real-time images and audio signals by use of a second receiver operated at a second remote location wherein a second team member of the team of security officers is located; and displaying to the second team member the series of real-time images by use of a second monitor coupled to the second receiver as claimed in claim 14. The particular use of repeaters for rebroadcasting video and audio signals to other receivers, in general, is old and well recognized in the art. For example, Walling discloses a satellite communications system for medical related images as shown in Figure 1A, and teaches the particular communications via RF transmissions of any number of trucks with the central headquarters or to other trucks from any given location throughout the world (see column 3, lines 6-20) and the particular use of repeaters for translating the transmitted signal into a different frequency and then sending it to the central headquarters (see column 5, lines 50-65). Further, the Examiner takes Official Notice that the particular use of a second remote location with a second monitor within a security system is old and well recognized in the art. Therefore, it would have been obvious to one of ordinary skill in the art, having the Camras, Takahashi et al, Saitoh et al, and Walling references in front of him/her and the general knowledge of video and audio wireless transmission systems, would have had no difficulty in providing a repeater for translating transmitted signals to other receiving location(s) as taught by Walling as part of the receiver as shown in Figure 1 of Camras for the same well known benefits of providing the same transmitted video and audio signals to other receiving stations, such as police cars, so that such similar video and audio information may be viewed and shared by those interested for the same well known purposes as claimed.

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11. Claim 16 is rejected under 35 U.S.C. § 103 as being unpatentable over the combination of Camras and Takahashi et al as applied to claims 1-3, 5, 7-9, and 20-22 in the above paragraph (7), and further in view of Teetzel (5,584,137).

The combination of Camras and Takahashi et al discloses substantially the same security system as above, but does not particularly disclose wherein the handheld light source further includes a laser pointer capable of emitting a laser beam oriented along a field of view of the imager and wherein the laser pointer is operable independently of the imager and the light source as claimed in claim 16. However, Teetzel discloses a modular laser apparatus as shown in Figures 1 and 2, and teaches the conventional use of a laser pointer with a flashlight system (see Figures 1 and 2, and column 4, lines 20-42, column 5, lines 17-45, column 6, lines 36-43). Therefore, it would have been obvious to one of ordinary skill in the art, having the Camras, Takahashi et al, and Teetzel references in front of him/her and the general knowledge of laser pointer devices with combination systems, would have had no difficulty in providing the laser pointer system of Teetzel for the system within the combination of Camras and Takahashi et al thereby providing substantially the same if not the same handheld light source including a laser pointer capable of emitting a laser beam oriented along a field of view of the imager and wherein the laser pointer is operable independently of the imager and the light source purposes as claimed.

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12. Claim 17 is rejected under 35 U.S.C. § 103 as being unpatentable over the combination of Camras and Takahashi et al as applied to claims 1-3, 5, 7-9, and 20-22 in the above paragraph (7), and further in view of Stanuch et al (5,097,397).

The combination of Camras and Takahashi et al discloses substantially the same security system as above, but does not particularly disclose wherein the handheld light source further includes an RF shield substantially surrounding at least a portion of the transmitter as claimed in claim 17. The particular RF shielding of electronics thereby reducing noise problems from the transmitter is old and well recognized in the art, as exemplified by Stanuch et al (see column 4, lines 47-64). Therefore, it would have been obvious to one of ordinary skill in the art, having the Camras, Takahashi et al, and Stanuch et al references in front of him/her and the general knowledge of RF shieldings, would have had no difficulty in providing the RF shielding feature of Stanuch et al as part of the handheld light source and transmitter system within the combination of Camras and Takahashi et al for the same well known noise reduction purposes as claimed.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. **Any response to this final action should be mailed to:**

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

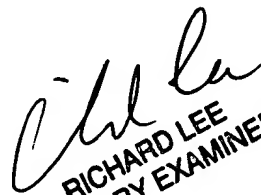
(703) 872-9314, (for formal communications; please mark "EXPEDITED
PROCEDURE") (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

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15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (703) 308-6612. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group customer service whose telephone number is (703) 306-0377.


RICHARD LEE
PRIMARY EXAMINER

Richard Lee/rl



6/5/02